

VIRGINIA:

BOOK 539 PAGE 575

## BEFORE THE VIRGINIA GAS AND OIL BOARD

IN RE:

SUPPLEMENTAL ORDER REGARDING DOCKET NUMBER VGOB 01-0320-0870

ELECTIONS: UNIT AV-110  
(herein "Subject Drilling Unit")REPORT OF BOARDFINDINGS AND ORDER

This Supplemental Order is entered by the Board *sua sponte* in the form authorized by the Board at hearings held on February 15, 1994 and June 16, 1992; and this Supplemental Order is being recorded for the purpose of supplementing the Order previously in the captioned matter on July 27, 2001 which was recorded at Deed Book 528, Page 529 in the Office of the Clerk of the Circuit Court of Buchanan County, Virginia, on August 8, 2001 and at Deed Book 532, Page 104 in the Office of the Clerk of the Circuit Court of Russell County, Virginia, on August 8, 2001, (herein "Board Order") and completing the record regarding elections.

Findings: The Board finds that:

The Board Order directed POCAHONTAS GAS PARTNERSHIP (herein "Designated Operator") to mail copies of the Board Order to all Respondents whose interests, if any, were pooled by the said Board Order;

The Designated Operator filed its affidavit of elections disclosing that it had mailed a true and correct copy of the Board's Order to all Respondents whose interests, if any, were pooled by said Board Order;

The Board Order required each Respondent whose interests, if any, were pooled by the terms of said Board Order to make an election within thirty (30) days after the date of mailing or recording, as applicable, of said Order; the affidavit of elections filed herein and annexed hereto as Exhibit A states: (i) whether each Respondent has made or failed to make a timely election; (ii) the nature of any election(s) made; and (iii) whether, by reason of a failure to elect or to timely elect one or more Respondents are deemed, under the terms of the Board's Order, to have leased all their rights, title, interests, estates and claims in Subject Drilling Unit to the Applicant;

That the affidavit of elections annexed hereto with the Exhibits submitted therewith identifies the Respondent(s) making a timely election, if any; identifies the Respondent(s), if any, who are deemed to have leased; identifies the conflicting interests and claims which require escrow; identifies the interests and claims, if any, requiring escrow under Virginia Code section 45.1-361.21.D.; and identifies the Respondents, if any, who may be dismissed by reason of having leased or entered into a voluntary agreement with the Applicant.

The affidavit of elections indicates that the escrow of funds is required with regard to Unit AV-110;

Order: By this Order, the Board orders the Designated Operator to tender, consistent with and in accordance with the findings set forth at paragraph 2. above and the annexed affidavit of elections with Exhibits thereto, any funds subject to escrow and instructs the Escrow Agent, First Union National Bank, Corporate Trust PA1328,123 Broad Street, Philadelphia, PA 19109-1199, Telephone: (215) 985-3485 or (800) 664-9359, Attn: Don Ballinghoff, or any successor named by the Board to establish interest bearing escrow account(s), IRS Tax Identification Number 54-1629506, in accordance with the information set forth in the affidavit of elections with Exhibits thereto, to receive funds and account to the Board therefore.

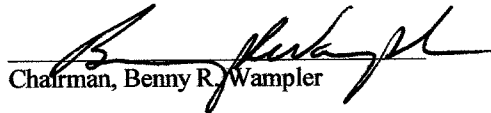
ENTERED

Mailing of Order and Filing of Affidavit: The Designated Operator under the captioned Order or shall file an affidavit with the Secretary of the Board within ten (10) days after the date of receipt of this Order stating that a true and correct copy of this Order was mailed to each Respondent whose interests or claims are subject to escrow and whose address is known within seven (7) days from the date of receipt of this Order.

Conclusion: Therefore, the findings and all terms and provisions set forth above be and hereby are granted and IT IS SO ORDERED.

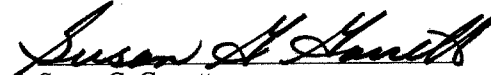
Effective Date: This Order shall be effective on the date of its execution.

DONE AND EXECUTED this 8<sup>th</sup> day of November, 2001, by a majority of the Virginia Gas and Oil Board.

  
Chairman, Benny R. Wampler

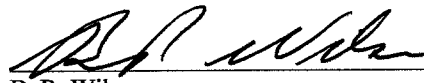
STATE OF VIRGINIA  
COUNTY OF WISE

Acknowledged on this 8<sup>th</sup> day of November, 2001, personally before me a notary public in and for the Commonwealth of Virginia, appeared Benny R. Wampler, being duly sworn did depose and say that he is Chairman of the Virginia Gas and Oil Board, that he executed the same and was authorized to do so.

  
Susan G. Garrett  
Notary

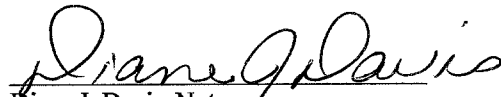
My commission expires: 7/31/02.

DONE AND PERFORMED THIS 13<sup>th</sup> day of November, 2001, by Order of the Board.

  
B. R. Wilson,  
Director of the Division of Gas & Oil Board and  
Principal Executive to the Board

STATE OF VIRGINIA  
COUNTY OF WASHINGTON

Acknowledged on this 13<sup>th</sup> day of November, 2001, personally before me a notary public in and for the Commonwealth of Virginia, appeared B. R. Wilson, being duly sworn did depose and say that he is Director of the Division of Gas & Oil Board and Principal Executive to the Board, that he executed the same and was authorized to do so.

  
Diane J. Davis, Notary

My commission expires: 9/30/2005

Order Recorded Under Code of  
Virginia Section 45.1-361.26

VIRGINIA:

Exhibit A

## BEFORE THE VIRGINIA GAS AND OIL BOARD

IN RE:

Application of Pocahontas Gas Partnership for Forced Pooling of Interests in CBM Unit AV-110  
VGOB 01-0320-0870 in the Hurricane and New Garden Districts of Buchanan County, Virginia

AFFIDAVIT OF POCAHONTAS GAS PARTNERSHIP (herein "Designated Operator") REGARDING  
ELECTIONS, ESCROW AND SUPPLEMENTAL ORDER

Leslie K. Arrington, being first duly sworn on oath, deposes and says:

That your affiant is employed by Consol Energy Inc., as a Gas Engineer and is duly authorized to make this affidavit on behalf of POCAHONTAS GAS PARTNERSHIP, the designated operator,

That the Order entered on July 27, 2001, by the Virginia Gas and Oil Board (hereinafter "Board") regarding the captioned CBM Unit required the Applicant to mail a true and correct copy of said Order to each person pooled by the Order;

That within seven (7) days of receipt of an executed copy of the Order referred to at paragraph 2. above, your affiant caused a true and correct copy of said Order to be mailed via the United States Postal Service to each Respondent named in the captioned Application, whose address was known, and to all persons, if any, who were added as Respondents at the hearing held in the captioned matter; that proof of such mailing has previously been tendered to the Division of Gas and Oil, the Office of the Gas and Oil Inspector, at Abingdon, Virginia;

That the Order of the Board in the captioned matter required all persons pooled thereby to tender their written elections to the Unit Operator within thirty (30) days of the date the Order was recorded in the counties identified above; that said Order were recorded on August 8, 2001;

That the designated operator POCAHONTAS GAS PARTNERSHIP has established procedures to review all mail received and all written documents received other than by mail to ascertain whether parties whose interests have been pooled have made a written election, in a timely fashion, as required by the captioned Order; that said procedures were followed to identify the elections, if any, made with regard to the Subject Unit; that the following persons delivered, by mail or otherwise, written elections the Unit Operator, within the thirty day elections period:

James Rasnake (See Exhibit B-4)

That Respondents identified in Exhibit B-3 hereto are, having failed to make any election, deemed to have leased their coalbed methane rights, interests and claims to Applicant, all as provided in the Board's Order of July 27, 2001;

See attached Exhibit B-3

That the rights, interests and claims of the following persons are subject to escrow under the Board's Order pooling the captioned Unit, Board Regulations and the Code of Virginia:

See attached Exhibit E

That after the pooling hearing held in the captioned matter, the following persons have leased or entered into a voluntary agreement with the Designated Operator:

None

That to the extent any of said persons listed in Exhibit B-2 have rights, Operator requests that the following persons be dismissed and/or added as Respondents:

Jonas Rasnake and James Rasnake

That the persons identified in Exhibit EE attached hereto have entered into royalty split agreements that allow the Applicant/Designated Operator to pay them directly without the need to escrow funds which would otherwise be in conflict.

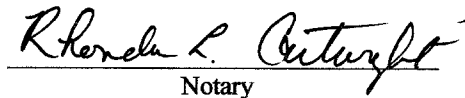
See attached Exhibit EE

That pursuant to the provisions of VAC 25-160-70.A.10. and C. and VAC 25-160-80 the annexed supplemental order sets forth the interests and claims that require escrow of funds pursuant to Virginia Code sections 45.1-361.21.D. and 45.1-361.22.A.3. and 4.

Dated at Tazewell, Virginia, this 29<sup>th</sup> day of October, 2001.

  
Leslie K. Arrington

Taken, subscribed and sworn to before me by Leslie K. Arrington as Gas Engineer of Consol Energy Inc., on behalf of the corporate Designated Operator, this 29<sup>th</sup> day of October, 2001.

  
Notary

My commission expires: 10/31/01.

PROPERTY LINES SHOWN WERE TAKEN FROM MAPS  
PROVIDED BY CONSOL Inc. AND WERE NOT SURVEYED.

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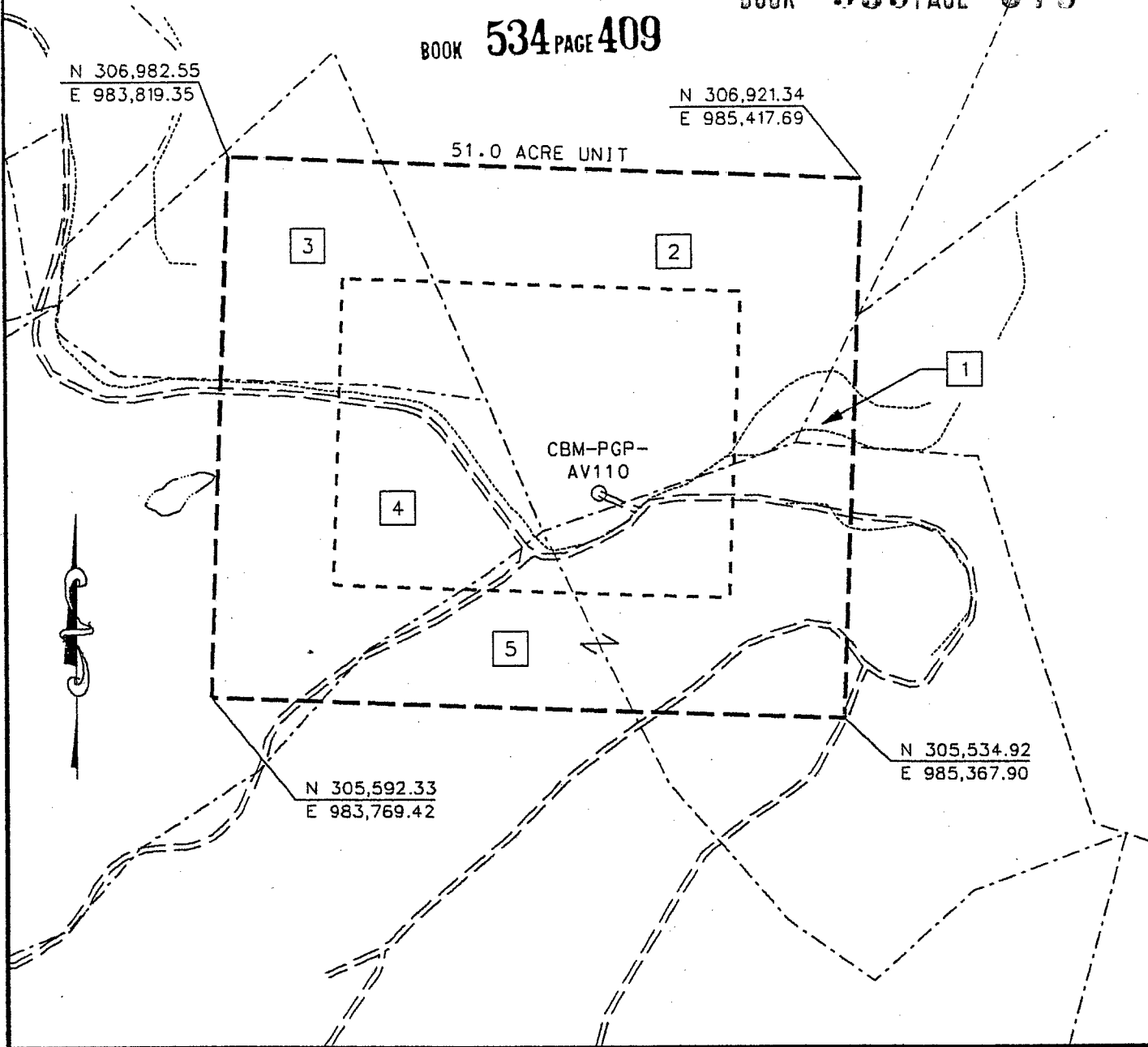


EXHIBIT A  
MIDDLE RIDGE 1 FIELD  
UNIT AV-110  
FORCE POOLING  
VGOB-01-0320-0870

Company Pocahontas Gas Partnership Well Name and Number UNIT AV110  
Tract No. \_\_\_\_\_ Elevation \_\_\_\_\_ Quadrangle Honaker  
County Buchanan/Russell District Hurricane/New Garden Scale: 1" = 400' Date 7/5/01  
This plat is a new plat X ; an updated plat \_\_\_\_\_ ; or a final plat \_\_\_\_\_

Form DGO-GO-7  
Rev. 9/91

Charles C. Mays  
Licensed Professional Engineer or Licensed Land Surveyor

(Affix Seal)

## POCAHONTAS GAS PARTNERSHIP

Unit AV-110

Tract Identifications

(51 Acre Unit)

1. Hugh MacRae Land Trust - Tr. 9 - Coal  
Coal Lessee  
Consolidation Coal Company - Below Tiller Coal Leased  
Pocahontas Gas Partnership - CBM Leased  
Pocahontas Gas Partnership - Surface, Oil & Gas  
0.56 acres 1.0980 %
2. Buckhorn Coal Company Tr. 2 - Fee  
Coal Lessees  
Consolidation Coal Company - Below Drainage Coal Leased  
Sandy Ridge Energy Company - Above Drainage Coal Leased  
Reserve Coal Properties Company - Oil & Gas Leased  
Pocahontas Gas Partnership - CBM Leased  
18.03 acres 35.3529 %
3. Buckhorn Coal Company (Jacob Fuller 453 Acre Tract) - Coal  
Coal Lessee  
Sandy Ridge Energy Company - Above Drainage Coal Leased  
Pocahontas Gas Partnership - CBM Leased  
Jacob Fuller Heirs, et al. - Oil & Gas  
Jearl Blankenship - Surface  
6.96 acres 13.6471 %
4. Buckhorn Coal Company (Jacob Fuller 439 Acre Tract) - Coal, Oil & Gas  
Coal Lessee  
Sandy Ridge Energy Company - Above Drainage Coal Leased  
Reserve Coal Properties Company - Oil & Gas Leased  
Pocahontas Gas Partnership - CBM Leased  
Billy Helton - Surface  
11.67 acres 22.8824 %
5. Buckhorn Coal Company (Jacob Fuller 453 Acre Tract) - Coal  
Coal Lessee  
Sandy Ridge Energy Company - Above Drainage Coal Leased  
Pocahontas Gas Partnership - CBM Leased  
Earl Whited - Surface, Oil & Gas  
Pocahontas Gas Partnership - Oil, Gas and CBM Leased  
13.78 acres 27.0196 %

02/05/01

Docket No. VGOB-01-0320-0870  
 List of Respondents to be Added or Dismissed

		Acres in Unit	Interest in Unit	Reason for Dismissal	Reason for Addition
<b>II. OIL &amp; GAS FEE OWNERSHIP</b>					
<b><u>Tract #3, 6.96 acres</u></b>					
(1)	<b>Jacob Fuller Heirs, Devisees, Successors or Assigns</b>	6.96 acres	13.64706%		
(5)	Laura Rasnake Heirs, Devisees Successors or Assigns				
(c)	Cora Faye Ray Heirs, Devisees, Successors or Assigns				
(c.4)	Jonas Rasnake HC65 Box 16 Oakwood, VA 24631	0.058 acres 1/120 of 6.96 acres	0.01634%	Not an owner	
(c.4)	James Rasnake 22484 Montego Bay Road Abingdon, VA 24211	0.058 acres 1/120 of 6.96 acres	0.01634%		New owner

Docket No. VGOB-01-0320-0870

List of Unleased Owners/Claimants that made an election

	Acres in Unit	Interest in Unit
<b>II. OIL &amp; GAS FEE OWNERSHIP</b>		
<b><u>Tract #3, 6.96 acres</u></b>		
(1) <b><i>Jacob Fuller Heirs, Devisees, Successors or Assigns</i></b>	6.96 acres	13.64706%
(5) Laura Rasnake Heirs, Devisees Successors or Assigns		
(c) Cora Faye Ray Heirs, Devisees, Successors or Assigns		
(c.4) James Rasnake 22484 Montego Bay Road Abingdon, VA 24211	0.058 acres 1/120 of 6.96 acres	0.01634%



	Acres in Unit	Interest in Unit
<b>II. OIL &amp; GAS FEE OWNERSHIP</b>		
<b><u>Tract #3, 6.96 acres</u></b>		
(1) <b>Jacob Fuller Heirs, Devisees, Successors or Assigns</b>	6.96 acres	13.64706%
(1) Elizabeth Compton Heirs, Devisees, Successors or Assigns		
(a) Claude Compton Heirs		
(a.2) Della Meadows P.O. Box 823 Honaker, VA 24260	0.036 acres 1/192 of 6.96 acres	0.01021%
(a.4) Doris Smith 3108 Star Route 98 Bucyrus, OH 44820	0.036 acres 1/192 of 6.96 acres	0.01021%
(b) Trula Morgan P.O. Box 369 Swords Creek, VA 24649	0.145 acres 1/48 of 6.96 acres	0.04085%
(c) Brady Massie Heirs		
(c.2) Leroy Massie P.O. Box 794 Honaker, VA 24260	0.029 acres 1/240 of 6.96 acres	0.00817%
(c.4) Gladys Puckett P.O. Box 153 Easley, SC 29641	0.029 acres 1/240 of 6.96 acres	0.00817%
(c.5) David & Debra Taylor 1580 Kenmore Drive Kingsport, TN 37664	0.029 acres 1/240 of 6.96 acres	0.00817%
(d) Nelson Compton Rt.2 Box 190 Honaker, VA 24260	0.145 acres 1/48 of 6.96 acres	0.04085%
(e) Mary Keen 703 Baker Street Mt. Gilead, OH 43335	0.145 acres 1/48 of 6.96 acres	0.04085%
(2) Alta Cordell Heirs, Devisees, Successors or Assigns		
(a) Edna Shaffer Heirs, Devisees, Successors or Assigns		
(a.1) Virgie Correll Address Unknown	0.870 acres 1/8 of 6.96 acres	0.24510%
(4) William T. Fuller Heirs, Devisees Successors or Assigns		

Exhibit B-3  
CBM-PGP-AV110  
Docket No. VGOB-01-0320-0870  
List of Unleased Owners/Claimants

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	Acres in Unit	Interest in Unit
(a) Marvin Fuller 399 W. G. Street Elizabethton, TN 37643	0.87 acres 1/8 of 6.96 acres	0.24510%
(5) Laura Rasnake Heirs, Devisees Successors or Assigns		
(a) Betty Rasnake, Widow P.O. Box 533 Honaker, VA 24260	0.29 acres 1/24 of 6.96 acres	0.08170%
(b) Jackie Rasnake, Widow 565 49th Street SW Canton, OH 44706	0.29 acres 1/24 of 6.96 acres	0.08170%
(c) Cora Faye Ray Heirs, Devisees, Successors or Assigns		
(c.1) Nelson Ray 331 Hillman Drive Honaker, VA 24260	0.058 acres 1/120 of 6.96 acres	0.01634%
(c.2) Lucy Blankenship HC65 Box 103 Rowe, VA 24649	0.058 acres 1/120 of 6.96 acres	0.01634%
(c.3) Michael Rasnake Rt.2 Box 497 Honaker, VA 24260	0.058 acres 1/120 of 6.96 acres	0.01634%
(c.4) James D. Rasnake 22484 Montego Bay Road Abingdon, VA 24211	0.058 acres 1/120 of 6.96 acres	0.01634%
(c.5) Luella Rasnake, Widow Rt.1 Box 1218 Pounding Mill, VA 24637-9740	0.058 acres 1/120 of 6.96 acres	0.01634%
(6) Eunice Nuckles Heirs, Devisees Successors or Assigns		
(a) Finley Nuckles Heirs, Devisees, Successors or Assigns		
(a.2) Carolyn Carty 1614 River Creek Drive Suffolk, VA 23434	0.087 acres 1/80 of 6.96 acres	0.02451%
(a.3) Beverly Nuckles 106 Little Pond Court Suffolk, VA 23434	0.087 acres 1/80 of 6.96 acres	0.02451%
(b) Patty Chambers Rt.1 Box 82 Raven, VA 24639	0.174 acres 1/40 of 6.96 acres	0.04902%

Exhibit B-3  
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List of Unleased Owners/Claimants

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	Acres in Unit	Interest in Unit
(c) Ruth Coleman, Heirs, Devisees, Successors or Assigns		
(c.1) Mellie Coleman Address Unknown	0.087 acres 1/80 of 6.96 acres	0.02451%
(c.2) Michael Coleman Address Unknown	0.087 acres 1/80 of 6.96 acres	0.02451%
(d) Irene Minnix Heirs, Devisees, Successors or Assigns		
(d.1) Debbie Penaly Address Unknown	0.174 acres 1/40 of 6.96 acres	0.04902%
(7) Emily Keen Heirs, Devisees, Successors or Assigns		
(b) Lydia Hess P.O. Box 43 Rosedale, VA 24280	0.174 acres 1/40 of 6.96 acres	0.04902%
(d) Corine Perkins P.O. Box 315 Rosedale, VA 24280	0.174 acres 1/40 of 6.96 acres	0.04902%
(e) Mason Whited Rt.1 Box 670 Swords Creek, VA 24649	0.174 acres 1/40 of 6.96 acres	0.04902%
(8) Elbert Fuller Heirs, Devisees, Successors or Assigns		
(a) Arnold Fuller Address Unknown	0.2175 acres 1/32 of 6.96 acres	0.06127%
(b) Ollie Wilson Address Unknown	0.2175 acres 1/32 of 6.96 acres	0.06127%
(c) Dora Webb Address Unknown	0.2175 acres 1/32 of 6.96 acres	0.06127%
(d) Leona Beavers Address Unknown	0.2175 acres 1/32 of 6.96 acres	0.06127%
(9) Ellen Brown Heirs, Devisees, Successors or Assigns		
(c) Arcel Rose P.O. Box 1705 Beaver, WV 25813	0.0276 acres 1/252 of 6.96 acres	0.05415%
(d) Cathy Tisdale 54 Jennie Lynn Crimora, VA 24431	0.0046 acres 1/1500 of 6.96 acres	0.00910%

Exhibit B-3  
CBM-PGP-AV110  
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List of Unleased Owners/Claimants

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	Acres in Unit	Interest in Unit
(e) John Abshire 236 Meadow Rue Lane Crimora, VA 24431	0.0046 acres 1/1500 of 6.96 acres	0.00910%
(f) Raymond Abshire 1074 Beckley Road Camp Creek, WV 25820	0.0046 acres 1/1500 of 6.96 acres	0.00910%
(g) Helen Parr 37 Crimora Mine Road Crimora, VA 24431	0.0046 acres 1/1500 of 6.96 acres	0.00910%
(h) Daniel Abshire 211 Mine Branch Road Crimora, VA 24431	0.0046 acres 1/1500 of 6.96 acres	0.00910%
(i) Fred K. Abshire Rt.1 Box 287D Linhurst, VA 22952	0.0046 acres 1/1500 of 6.96 acres	0.00910%
(k) Tolv "Tracy" Perkins 763 Bridge Drive Pasadena, MD 21122	0.0368 acres 1/189 of 6.96 acres	0.07221%
(l) Ester Newton 2621 Veda Drive Bristol, VA 24201	0.0368 acres 1/189 of 6.96 acres	0.07221%
(m) Myrtle Lee Norton Heirs, Devisees, Successors or Assigns		
(m.1) Mitzi Helbert 35 Pace Drive Bristol, VA 24201	0.0276 acres 1/252 of 6.96 acres	0.05415%
(m.2) Michael Whitt 35 Pace Drive Bristol, VA 24201	0.0276 acres 1/252 of 6.96 acres	0.05415%
(o) Tivis Brown Rt.1 Box 257 Swords Creek, VA 24649	0.0552 acres 1/126 of 6.96 acres	0.10831%
(p) Mildred Hale Rt.1 Box 197 Swords Creek, VA 24649	0.0552 acres 1/126 of 6.96 acres	0.10831%
(q) Judy Farmer HC65 Box 45 Vansant, VA 24656	0.0138 acres 1/504 of 6.96 acres	0.02708%
(r) Pauline Presley 1302 W. Ajo Way 308 Tucson, AZ 85713	0.0138 acres 1/504 of 6.96 acres	0.02708%

Exhibit B-3  
CBM-PGP-AV110  
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List of Unleased Owners/Claimants

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	Acres in Unit	Interest in Unit
(s) Clarence Whited Rt.1 Box 356 Grundy, VA 24614	0.0138 acres 1/504 of 6.96 acres	0.02708%
(t) Bobby Whited P.O. Box 243 Bastian, VA 24314	0.0138 acres 1/504 of 6.96 acres	0.02708%
(u) Delma Coleman P.O. Box 506 Grundy, VA 24614	0.0138 acres 1/504 of 6.96 acres	0.02708%
(v) Helen Patterson 2260 McBrager Court Cumming, GA 30130	0.0138 acres 1/504 of 6.96 acres	0.02708%
(w) Fayne Whited P.O. Box 1142 Grundy, VA 24614	0.0138 acres 1/504 of 6.96 acres	0.02708%
(x) Carolyn Whited 15194 Porterfield Highway Abingdon, VA 24210	0.0138 acres 1/504 of 6.96 acres	0.02708%
(y) Lucille Pendell 95 Spring Valley Road Bristol, VA 24201	0.0125 acres 1/558 of 6.96 acres	0.02446%
(z) Elmer Brown Rt.1 Box 476 Vansant, VA 24565	0.0125 acres 1/558 of 6.96 acres	0.02446%
(aa) Garland Brown P.O. Box 215 Rosedale, VA 24280	0.0125 acres 1/558 of 6.96 acres	0.02446%
(ab) Pauline Brown HC65 Box 45 Oakwood, VA 24631	0.0125 acres 1/558 of 6.96 acres	0.02446%
(ac) Carl Brown 12077 Salem Church Road King George, VA 22485	0.0125 acres 1/558 of 6.96 acres	0.02446%
(ad) Emory Brown 15222 Michigan Road Woodbridge, VA 22191	0.0125 acres 1/558 of 6.96 acres	0.02446%
(ae) Earl Brown 327 Meadow Crest Drive Bristol, VA 24201	0.0125 acres 1/558 of 6.96 acres	0.02446%
(af) Richard Brown Box 182 Maple Hurst Lane Bluff City, TN 37618	0.0125 acres 1/558 of 6.96 acres	0.02446%

Exhibit B-3  
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List of Unleased Owners/Claimants

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	Acres in Unit	Interest in Unit
(ag) Virgil K. Street Box 999 Honaker, VA 24260	0.0062 acres 1/1125 of 6.96 acres	0.01213%
(ah) Kimberly Lynn Street Box 999 Honaker, VA 24260	0.0062 acres 1/1125 of 6.96 acres	0.01213%
(ai) Lennie E. Perkins <i>Address Unknown</i>	0.0015 acres 1/4500 of 6.96 acres	0.00303%
(aj) Dexter Perkins HC Box 214 Jewell Ridge, VA 24622	0.0015 acres 1/4500 of 6.96 acres	0.00303%
(ak) Ellen Hutchinson 77 Beacon Road Bristol, VA 24201	0.0015 acres 1/4500 of 6.96 acres	0.00303%
(al) Chester C. Smith 1020 Buena Vista Road South Vienna, OH 45369	0.0015 acres 1/4500 of 6.96 acres	0.00303%
(am) Audry Blankenship HC63 Box 142A Jewell Ridge, VA 24622	0.0015 acres 1/4500 of 6.96 acres	0.00303%
(an) Wayne E. Smith 175 Sylvan Shores Drive South Vienna, OH 45369	0.0015 acres 1/4500 of 6.96 acres	0.00303%
(ao) Jesse Street 772 Big Creek Road Richlands, VA 24641	0.0015 acres 1/4500 of 6.96 acres	0.00303%
(ap) Elster Hurley 1509 Norway Street Bristol, VA 24201	0.0015 acres 1/4500 of 6.96 acres	0.00303%
(aq) Frankie Ratliff c/o Ellen Hutchinson 77 Beacon Road Bristol, VA 24201	0.0015 acres 1/4500 of 6.96 acres	0.00303%
(ar) Dr. L.M. Harrison Heirs, Devisees, Successors or Assigns <i>Address Unknown</i>	0.097 acres 1/72 of 6.96 acres	0.18954%

Exhibit E  
CBM-PGP-AV110  
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List of Conflicting Owners/Claimants that require escrow

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	Acres in Unit	Interest in Unit
<b><u>Tract #3, 6.96 acres</u></b>		
<b><u>COAL FEE OWNERSHIP</u></b>		
(1) Buckhorn Coal Company P. O. Box 187 Tazewell, VA 24651	6.96 acres	13.64706%
<b><u>OIL &amp; GAS FEE OWNERSHIP</u></b>		
(1) <b><i>Jacob Fuller Heirs, Devisees, Successors or Assigns</i></b>	6.96 acres	13.64706%
(1) Elizabeth Compton Heirs, Devisees, Successors or Assigns		
(a) Claude Compton Heirs		
(a.1) Genevia Cotsmire 215 Kanawha Avenue Dunbar, WV 25064	0.036 acres 1/192 of 6.96 acres	0.01021%
(a.2) Della Meadows P.O. Box 823 Honaker, VA 24260	0.036 acres 1/192 of 6.96 acres	0.01021%
(a.3) Margaret Kleffman 5112 Kingsport Highway Gray, TN 37615	0.036 acres 1/192 of 6.96 acres	0.01021%
(a.4) Doris Smith 3108 Star Route 98 Bucyrus, OH 44820	0.036 acres 1/192 of 6.96 acres	0.01021%
(b) Trula Morgan P.O. Box 369 Swords Creek, VA 24649	0.145 acres 1/48 of 6.96 acres	0.04085%
(c) Brady Massie Heirs		
(c.1) James Massie P.O. Box 682 Honaker, VA 24260	0.029 acres 1/240 of 6.96 acres	0.00817%
(c.2) Leroy Massie P.O. Box 794 Honaker, VA 24260	0.029 acres 1/240 of 6.96 acres	0.00817%
(c.3) Ruby & Leroy Lester 627 Twin Oak Circle Lebanon, VA 24266	0.029 acres 1/240 of 6.96 acres	0.00817%
(c.4) Gladys Puckett P.O. Box 153 Easley, SC 29641	0.029 acres 1/240 of 6.96 acres	0.00817%

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	Acres in Unit	Interest in Unit
(c.5) David & Debra Taylor 1580 Kenmore Drive Kingsport, TN 37664	0.029 acres 1/240 of 6.96 acres	0.00817%
(d) Nelson Compton Rt.2 Box 190 Honaker, VA 24260	0.145 acres 1/48 of 6.96 acres	0.04085%
(e) Mary Keen 703 Baker Street Mt. Gilead, OH 43335	0.145 acres 1/48 of 6.96 acres	0.04085%
(f) Lacy Richardson Heirs		
(f.1) William Earl Richardson 1140 Texarkana Drive Indianapolis, IN 46231	0.018 acres 1/384 of 6.96 acres	0.00511%
(f.2) Nelson Richardson 1124 Texarkana Drive Indianapolis, IN 46231	0.018 acres 1/384 of 6.96 acres	0.00511%
(f.3) Fred Richardson 9019 Broken Arrow Road Indianapolis, IN 46234	0.018 acres 1/384 of 6.96 acres	0.00511%
(f.4) Roger Richardson 4313 E. 46th Street Indianapolis, IN 46231	0.018 acres 1/384 of 6.96 acres	0.00511%
(f.5) Alice Marie Musick 7981 N. 875 W Indianapolis, IN 46259	0.018 acres 1/384 of 6.96 acres	0.00511%
(f.6) Betty Doty 875 W. 6779 Lambert Street Indianapolis, IN 46241	0.018 acres 1/384 of 6.96 acres	0.00511%
(f.7) Linda Cook 111 Monterey Drive Mooresville, NC 28115	0.018 acres 1/384 of 6.96 acres	0.00511%
(f.8) Violet Dunn 8607 Mosey Manor Indianapolis, IN 46231	0.018 acres 1/384 of 6.96 acres	0.00511%
(2) Alta Cordell Heirs, Devisees, Successors or Assigns		
(a) Edna Shaffer Heirs, Devisees, Successors or Assigns		
(a.1) Virgie Correll Address Unknown	0.870 acres 1/8 of 6.96 acres	0.24510%
(3) Myrtle Rowe Heirs, Devisees Successors or Assigns		



## List of Conflicting Owners/Claimants that require escrow

	Acres in Unit	Interest in Unit
(a) Ellen Fletcher HC65 Box 27A Rowe, VA 24649	0.87 acres 1/8 of 6.96 acres	0.24510%
(4) William T. Fuller Heirs, Devisees Successors or Assigns		
(a) Marvin Fuller 399 W. G. Street Elizabethton, TN 37643	0.87 acres 1/8 of 6.96 acres	0.24510%
(5) Laura Rasnake Heirs, Devisees Successors or Assigns		
(a) Betty Rasnake, Widow P.O. Box 533 Honaker, VA 24260	0.29 acres 1/24 of 6.96 acres	0.08170%
(b) Jackie Rasnake, Widow 565 49th Street SW Canton, OH 44706	0.29 acres 1/24 of 6.96 acres	0.08170%
(c) Cora Faye Ray Heirs, Devisees, Successors or Assigns		
(c.1) Nelson Ray 331 Hillman Drive Honaker, VA 24260	0.058 acres 1/120 of 6.96 acres	0.01634%
(c.2) Lucy Blankenship HC65 Box 103 Rowe, VA 24649	0.058 acres 1/120 of 6.96 acres	0.01634%
(c.3) Michael Rasnake Rt.2 Box 497 Honaker, VA 24260	0.058 acres 1/120 of 6.96 acres	0.01634%
(c.4) James Rasnake 22484 Montego Bay Road Abingdon, VA 24211	0.058 acres 1/120 of 6.96 acres	0.01634%
(c.5) Luella Rasnake, Widow Rt.1 Box 1218 Pounding Mill, VA 24637-9740	0.058 acres 1/120 of 6.96 acres	0.01634%
(6) Eunice Nuckles Heirs, Devisees Successors or Assigns		
(a) Finley Nuckles Heirs, Devisees, Successors or Assigns		
(a.1) Betty Nuckles, Widow 275 Beverly Drive Abingdon, VA 24210	Life Estate	

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List of Conflicting Owners/Claimants that require escrow

	Acres in Unit	Interest in Unit
(a.2) Carolyn Carty 1614 River Creek Drive Suffolk, VA 23434	0.087 acres 1/80 of 6.96 acres	0.02451%
(a.3) Beverly Nuckles 106 Little Pond Court Suffolk, VA 23434	0.087 acres 1/80 of 6.96 acres	0.02451%
(b) Patty Chambers Rt.1 Box 82 Raven, VA 24639	0.174 acres 1/40 of 6.96 acres	0.04902%
(c) Ruth Coleman, Heirs, Devisees, Successors or Assigns		
(c.1) Mellie Coleman Address Unknown	0.087 acres 1/80 of 6.96 acres	0.02451%
(c.2) Michael Coleman Address Unknown	0.087 acres 1/80 of 6.96 acres	0.02451%
(d) Irene Minnix Heirs, Devisees, Successors or Assigns		
(d.1) Debbie Penaly Address Unknown	0.174 acres 1/40 of 6.96 acres	0.04902%
(7) Emily Keen Heirs, Devisees, Successors or Assigns		
(a) Earl Whited Rt.1 Box 150 Swords Creek, VA 24649	0.174 acres 1/40 of 6.96 acres	0.04902%
(b) Lydia Hess P.O. Box 43 Rosedale, VA 24280	0.174 acres 1/40 of 6.96 acres	0.04902%
(c) Goldie Hess Star Route Box 118 Rowe, VA 24646	0.174 acres 1/40 of 6.96 acres	0.04902%
(d) Corine Perkins P.O. Box 315 Rosedale, VA 24280	0.174 acres 1/40 of 6.96 acres	0.04902%
(e) Mason Whited Rt.1 Box 670 Swords Creek, VA 24649	0.174 acres 1/40 of 6.96 acres	0.04902%
(8) Elbert Fuller Heirs, Devisees, Successors or Assigns		
(a) Arnold Fuller Address Unknown	0.2175 acres 1/32 of 6.96 acres	0.06127%

List of Conflicting Owners/Claimants that require escrow

	Acres in Unit	Interest in Unit
(b) Ollie Wilson Address Unknown	0.2175 acres 1/32 of 6.96 acres	0.06127%
(c) Dora Webb Address Unknown	0.2175 acres 1/32 of 6.96 acres	0.06127%
(d) Leona Beavers Address Unknown	0.2175 acres 1/32 of 6.96 acres	0.06127%
(9) Ellen Brown Heirs, Devisees, Successors or Assigns		
(a) Goldine Lilly 303 Wolfe Creek Road Spanishburg, WV 25922	0.0276 acres 1/252 of 6.96 acres	0.05415%
(b) Richard E. Rose 1406 South Avenue Princeton, WV 24740	0.0276 acres 1/252 of 6.96 acres	0.05415%
(c) Arcel Rose P.O. Box 1705 Beaver, WV 25813	0.0276 acres 1/252 of 6.96 acres	0.05415%
(d) Cathy Tisdale 54 Jennie Lynn Crimora, VA 24431	0.0046 acres 1/1500 of 6.96 acres	0.00910%
(e) John Abshire 236 Meadow Rue Lane Crimora, VA 24431	0.0046 acres 1/1500 of 6.96 acres	0.00910%
(f) Raymond Abshire 1074 Beckley Road Camp Creek, WV 25820	0.0046 acres 1/1500 of 6.96 acres	0.00910%
(g) Helen Parr 37 Crimora Mine Road Crimora, VA 24431	0.0046 acres 1/1500 of 6.96 acres	0.00910%
(h) Daniel Abshire 211 Mine Branch Road Crimora, VA 24431	0.0046 acres 1/1500 of 6.96 acres	0.00910%
(i) Fred K. Abshire Rt.1 Box 287D Linhurst, VA 22952	0.0046 acres 1/1500 of 6.96 acres	0.00910%
(j) Anna Nuckles Rt.1 Box 156 Vansant, VA 24565	0.0368 acres 1/189 of 6.96 acres	0.07221%
(k) Tolvy "Tracy" Perkins 763 Bridge Drive Pasadena, MD 21122	0.0368 acres 1/189 of 6.96 acres	0.07221%

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	Acres in Unit	Interest in Unit
(l) Ester Newton 2621 Veda Drive Bristol, VA 24201	0.0368 acres 1/189 of 6.96 acres	0.07221%
(m) Myrtle Lee Norton Heirs, Devisees, Successors or Assigns		
(m.1) Mitzi Helbert 35 Pace Drive Bristol, VA 24201	0.0276 acres 1/252 of 6.96 acres	0.05415%
(m.2) Michael Whitt 35 Pace Drive Bristol, VA 24201	0.0276 acres 1/252 of 6.96 acres	0.05415%
(n) Carson Brown P.O. Box 105 Rosedale, VA 24280	0.0552 acres 1/126 of 6.96 acres	0.10831%
(o) Tivis Brown Rt.1 Box 257 Swords Creek, VA 24649	0.0552 acres 1/126 of 6.96 acres	0.10831%
(p) Mildred Hale Rt.1 Box 197 Swords Creek, VA 24649	0.0552 acres 1/126 of 6.96 acres	0.10831%
(q) Judy Farmer HC65 Box 45 Vansant, VA 24656	0.0138 acres 1/504 of 6.96 acres	0.02708%
(r) Pauline Presley 1302 W. Ajo Way 308 Tucson, AZ 85713	0.0138 acres 1/504 of 6.96 acres	0.02708%
(s) Clarence Whited Rt.1 Box 356 Grundy, VA 24614	0.0138 acres 1/504 of 6.96 acres	0.02708%
(t) Bobby Whited P.O. Box 243 Bastian, VA 24314	0.0138 acres 1/504 of 6.96 acres	0.02708%
(u) Delma Coleman P.O. Box 506 Grundy, VA 24614	0.0138 acres 1/504 of 6.96 acres	0.02708%
(v) Helen Patterson 2260 McBrager Court Cumming, GA 30130	0.0138 acres 1/504 of 6.96 acres	0.02708%
(w) Fayne Whited P.O. Box 1142 Grundy, VA 24614	0.0138 acres 1/504 of 6.96 acres	0.02708%

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	Acres in Unit	Interest in Unit
(x) Carolyn Whited 15194 Porterfield Highway Abingdon, VA 24210	0.0138 acres 1/504 of 6.96 acres	0.02708%
(y) Lucille Pendell 95 Spring Valley Road Bristol, VA 24201	0.0125 acres 1/558 of 6.96 acres	0.02446%
(z) Elmer Brown Rt.1 Box 476 Vansant, VA 24565	0.0125 acres 1/558 of 6.96 acres	0.02446%
(aa) Garland Brown P.O. Box 215 Rosedale, VA 24280	0.0125 acres 1/558 of 6.96 acres	0.02446%
(ab) Pauline Brown HC65 Box 45 Oakwood, VA 24631	0.0125 acres 1/558 of 6.96 acres	0.02446%
(ac) Carl Brown 12077 Salem Church Road King George, VA 22485	0.0125 acres 1/558 of 6.96 acres	0.02446%
(ad) Emory Brown 15222 Michigan Road Woodbridge, VA 22191	0.0125 acres 1/558 of 6.96 acres	0.02446%
(ae) Earl Brown 327 Meadow Crest Drive Bristol, VA 24201	0.0125 acres 1/558 of 6.96 acres	0.02446%
(af) Richard Brown Box 182 Maple Hurst Lane Bluff City, TN 37618	0.0125 acres 1/558 of 6.96 acres	0.02446%
(ag) Virgil K. Street Box 999 Honaker, VA 24260	0.0062 acres 1/1125 of 6.96 acres	0.01213%
(ah) Kimberly Lynn Street Box 999 Honaker, VA 24260	0.0062 acres 1/1125 of 6.96 acres	0.01213%
(ai) Lennie E. Perkins Address Unknown	0.0015 acres 1/4500 of 6.96 acres	0.00303%
(aj) Dexter Perkins HC Box 214 Jewell Ridge, VA 24622	0.0015 acres 1/4500 of 6.96 acres	0.00303%
(ak) Ellen Hutchinson 77 Beacon Road Bristol, VA 24201	0.0015 acres 1/4500 of 6.96 acres	0.00303%

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	Acres in Unit	Interest in Unit
(al) Chester C. Smith 1020 Buena Vista Road South Vienna, OH 45369	0.0015 acres 1/4500 of 6.96 acres	0.00303%
(am) Audry Blankenship HC63 Box 142A Jewell Ridge, VA 24622	0.0015 acres 1/4500 of 6.96 acres	0.00303%
(an) Wayne E. Smith 175 Sylvan Shores Drive South Vienna, OH 45369	0.0015 acres 1/4500 of 6.96 acres	0.00303%
(ao) Jesse Street 772 Big Creek Road Richlands, VA 24641	0.0015 acres 1/4500 of 6.96 acres	0.00303%
(ap) Elster Hurley 1509 Norway Street Bristol, VA 24201	0.0015 acres 1/4500 of 6.96 acres	0.00303%
(aq) Frankie Ratliff c/o Ellen Hutchinson 77 Beacon Road Bristol, VA 24201	0.0015 acres 1/4500 of 6.96 acres	0.00303%
(ar) Dr. L.M. Harrison Heirs, Devisees, Successors or Assigns Address Unknown	0.0967 acres 1/72 of 6.96 acres	0.18954%

**Tract #5, 13.78 acres****COAL FEE OWNERSHIP**

(1) Buckhorn Coal Company P. O. Box 187 Tazewell, VA 24651	13.78 acres	27.01961%
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**OIL & GAS FEE OWNERSHIP**

(1) Earl Whited Rt.1 Box 150 Swords Creek, VA 24649	13.78 acres	27.01961%
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## List of Conflicting Owners/Claimants with Royalty Split Agreements

	Acres in Unit	Interest in Unit
<b><u>Tract #1, 0.56 acres</u></b>		
<b><u>COAL FEE OWNERSHIP</u></b>		
(1) Hugh MacRae Land Trust, Tr.9 P.O. Box 29 Tazewell, VA 24651	0.56 acres	1.09804%
<b><u>OIL &amp; GAS FEE OWNERSHIP</u></b>		
(1) Pocahontas Gas Partnership P.O. Box 947 Bluefield, VA 24605	0.56 acres	1.09804%

**Tract #3, 6.96 acres****COAL FEE OWNERSHIP**

(1) Buckhorn Coal Company P. O. Box 187 Tazewell, VA 24651	6.96 acres	13.64706%
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**OIL & GAS FEE OWNERSHIP**

(1) <b>Jacob Fuller Heirs, Devisees, Successors or Assigns</b>	6.96 acres	13.64706%
(5) Laura Rasnake Heirs, Devisees Successors or Assigns		
(c) Cora Faye Ray Heirs, Devisees, Successors or Assigns		
(c.3) Michael Rasnake Rt.2 Box 497 Honaker, VA 24260	0.058 acres 1/120 of 6.96 acres	0.11373%

0004233

VIRGINIA: IN THE OFFICE OF THE CLERK OF THE CIRCUIT COURT OF RUSSELL COUNTY, 11-14- 2001. This deed was this day presented in said office, and upon the certificate of acknowledgment thereto annexed, admitted to record at 10:45 o'clock A M, after payment of \$        tax imposed by Sec. 58.1-802.

Original returned this date to:

*Deane Davis*

BY:

TESTE: *Judi E. Leavelle* D. CLERK

VIRGINIA: In the Clerk's Office of the Circuit Court of Buchanan County. The foregoing instrument was this day presented in the office aforesaid and is, together with the certificate of acknowledgment annexed, admitted to record this 14th day of November, 2001.  
Deed Book No. 534 and Page No. 405.  
Returned this date to: *Deane Davis*

TESTE: *James M. Bevens, Jr.* Clerk  
TESTE: *Patricia Dineen* Deputy Clerk

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BY:

INSTRUMENT #010003539  
RECORDED IN THE CLERK'S OFFICE OF  
BUCHANAN COUNTY ON  
NOVEMBER 14, 2001 AT 03:21 PM  
JAMES H. BEVINS JR., CLERK

(10)